



General Assembly

February Session, 2016

***Raised Bill No. 5299***

LCO No. 1471



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:  
(KID)

***AN ACT CONCERNING TOXIC FLAME RETARDANT CHEMICALS IN CHILDREN'S PRODUCTS AND UPHOLSTERED RESIDENTIAL FURNITURE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of  
2 this section:

3 (1) "Children's product" means a product, or article used as a  
4 component of a product, designed or intended primarily for use by or  
5 for children twelve years of age or younger, including, but not limited  
6 to, clothing, toys, nursing pillows, crib mattresses, changing pads and  
7 strollers. Children's products shall not include food, beverages, dietary  
8 supplements, pharmaceutical products and biologics, children's toys  
9 that are subject to the most recent version of the American Society for  
10 Testing and Materials F963, Standard Consumer Safety Specification  
11 for Toy Safety, devices as defined by the federal Food, Drug and  
12 Cosmetic Act, 21 USC 321(h) or products governed by federal motor  
13 vehicle standards contained in 49 CFR 571.213 and 49 CFR 571.302;

14 (2) "Upholstered residential furniture" means furniture with  
15 padding, coverings and cushions intended and sold for use in the  
16 home or places of lodging.

17 (3) "TDCPP" and "TDCP" means (tris(1,3-dichloro-2-  
18 propyl)phosphate);

19 (4) "TCEP" means (tris(2-chloroethyl)phosphate); and

20 (5) "TCPP" means tris(1-chloro-2-propyl)phosphate.

21 (b) On and after July 1, 2018, no person may manufacture, offer or  
22 distribute for sale, sell or distribute for use in this state a children's  
23 product or upholstered residential furniture containing, in amounts  
24 greater than .01 per cent by weight, the flame retardant chemicals  
25 decabromodiphenyl ether, hexabromocyclododecane, TDCPP, TDCP,  
26 TCEP and TCPP.

27 (c) On and after July 1, 2019, no person may sell or offer for sale or  
28 use in this state a children's product or upholstered residential  
29 furniture containing, in amounts greater than .01 per cent by weight,  
30 the flame retardant chemicals listed in subsection (b) of this section.

31 (d) The provisions of subsections (b) and (c) of this section shall not  
32 apply to an individual who, for personal, family or household  
33 purposes, offers for resale, resells or distributes children's products or  
34 upholstered residential furniture.

35 (e) A manufacturer shall not replace a flame retardant chemical  
36 listed in subsection (b) of this section with a chemical that has been  
37 identified, on the basis of credible scientific evidence published in  
38 peer-reviewed scientific literature generally recognized by the relevant  
39 scientific community, to harm the normal development of a fetus or  
40 child, harm normal development, cause cancer, cause genetic damage  
41 or reproductive harm, disrupt the endocrine system, damage the  
42 nervous system, immune system or organs or cause other systemic

43 toxicity, be persistent, bioaccumulative and toxic or be very persistent  
44 and very bioaccumulative.

45 (f) The Commissioner of Consumer Protection shall, within  
46 available appropriations, enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	New section

**Statement of Purpose:**

To prevent the manufacture, sale and distribution of children's products containing certain flame retardant chemicals.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*